IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 496 of 2007()

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CRMP.185/2007 of SESSIONS COURT, PALAKKAD

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: PETITIONERS/ACCUSED NO.1 & 2:

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1. MADHU, AGED 26 YEARS,
   S/O. VELAYUDHAN, KIZHAKKEKALAM, EDATHARA,PALAKKAD.

2. SURESH KUMAR, AGED 26 YEARS,
   S/O. KANDAN, KIZHAKKEKALAM, EDATHARA, PALAKKAD.

BY ADV. SRI.M.K.FAISAL

RESPONDENTS: COMPLAINANT & INVESTIGATING OFFICER:

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STATE OF KERALA,
REP. BY SUB INSPECTOR OF POLICE,
MANKARA POLICE STATION, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**BAIL APPLICATION NO.496 OF 2007**

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**DATED THIS THE 31ST DAY OF JANUARY, 2007**

**O R D E R**

Petitioners who are accused 1 and 2 in Crime No.8/07 of Mankara Police Station for offences punishable under sections 341, 324 and 308 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the de facto complainant was attacked with sword and stick on 7.1.2007 by way of retaliation to the death of first accused's father on the previous day in an incident in which an autorickshaw driven by the de facto complainant had capsized.

3. I am not inclined to grant anticipatory bail to the petitioners. At the same time, I am inclined to give the petitioners an opportunity to surrender before the Investigating Officer and then to have their regular bail application disposed of by the Magistrate. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 5.2.2007 and 7.2.2007 for the purpose of interrogation. The petitioners shall thereafter be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioners for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn